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10 **STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 ROBERT FLORES, an individual,

CASE NO.: 2:17-cv-01991-JAD-NJK

13 Plaintiff,

14 vs.

15 WAL-MART STORES, INC., a foreign
corporation d/b/a Wal-Mart Neighborhood
Market #3355; JONATHAN SOROLA, an
individual; DOES 1 through 10, inclusive; ROE
CORPORATIONS 11 through 20, inclusive; and
ABC LIMITED LIABILITY COMPANIES 21
through 30, inclusive,

**STIPULATION TO EXTEND
DISCOVERY DEADLINES (SECOND
REQUEST)**

21 Defendant(s).

22 Plaintiff, Robert Flores (“Plaintiff”), by and through his counsels of record, Brian D.
23 Nettles, Esq. Christian M. Morris, Esq., and Edward J. Wynder, Esq., of Nettles Law Firm, and
24 Defendant, Wal-Mart Stores, Inc. d/b/a Wal-Mart Neighborhood Market #3355 (“Defendant”),
25 by and through its counsel of record, Timothy D. Kuhls, Esq., Esq., of Phillips, Spallas &
26 Angstadt, LLC, hereby stipulate to the extension of all remaining discovery deadlines by sixty
27 (60) days pursuant to LR 26-4.

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STIPULATED APPLICATION

WHEREAS, the parties have begun discovery but are seeking in good faith to settle this case while continuing to conduct discovery to complete before trial, the parties request a sixty (60) day extension of certain discovery deadlines as set forth below.

A. DISCOVERY COMPLETED TO DATE

1. The parties participated in the Fed. R. Civ. P 26(f) conference on August 15, 2017.
 2. Plaintiff made his pre-discovery disclosures pursuant to Fed. R. Civ. P 26.1(a)(1) on August 28, 2017. Defendant served its pre-discovery disclosures pursuant to Fed. R. Civ. P. 26.1(a)(1) on September 15, 2017.
 3. Defendant propounded written discovery to Plaintiff on September 18, 2017 and Plaintiff responded to Requests for Admissions on October 11, 2017 and Requests for Production of Documents on October 16, 2017 and Interrogatories on October 16, 2017.
 4. Plaintiff propounded written discovery to Defendant on November 1, 2017 and Defendant responded to Requests for Admissions on December 4, 2017, Requests for Production of Documents on December 18, 2017 and Interrogatories on December 18, 2017.
 5. Defendant has taken the depositions of Cheri Adams and Plaintiff, Robert Flores.
 6. Plaintiff has taken the deposition of Defendant's cashier Jonathan Sorola.

B. SPECIFIC DESCRIPTION OF THE DISCOVERY TO BE COMPLETED

An Independent Medical Examination of the Plaintiff to be conducted by a retained medical expert from Defendant and initial Expert and Rebuttal disclosures. Additionally, the parties intend to depose several individuals including Defendant's Rule 30(b)(6) designee(s), treating medical professionals, and expert witnesses, other witnesses, if necessary.

C. REASONS FOR EXTENSION TO COMPLETE DISCOVERY

The parties have agreed to participate in a Settlement Conference and the Defendant needs additional time to allow for the scheduling of an Independent Medical Examination of the Plaintiff should settlement negotiations fail. This request is made in good faith and not for the purpose of delay.

1 **D. PROPOSED NEW DISCOVERY PLAN DEADLINES**

2 Last date to complete discovery:

3 Currently: Tuesday, April 10, 2018

4 Proposed: Monday, June 11, 2018

5 Last date to amend pleadings and add parties:

6 Currently: Tuesday, January 9, 2018

7 Proposed: N/A

8 Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2):

9 Currently: Friday, February 9, 2018

10 Proposed: Tuesday, April 10, 2018

11 Last date to disclose rebuttal experts:

12 Currently: Monday, March 12, 2018

13 Proposed: Friday, May 11, 2018

14 Last date to file interim status report:

15 Currently: Friday, February 9, 2018

16 Proposed: Tuesday, April 10, 2018

17 Last date to file dispositive motions:

18 Currently: Tuesday, May 8, 2018

19 Proposed: Monday, July 9, 2018

20 Last date to file joint pretrial order:

21 Currently: Tuesday, June 5, 2018

22 Proposed: Monday, August 6, 2018

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CONCLUSION

2 Therefore, based upon the foregoing, the parties respectfully request that this Stipulation
3 to Extend Discovery (Second Request) be granted and that the Court adopt the proposed dates
4 mentioned above.

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DATED this 1st day of February, 2018.

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NETTLES LAW FIRM

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/s/ Christian M. Morris, Esq.

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DATED this 1st day of February, 2018.

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Timothy D. Kuhls, Esq.

TIMOTHY D. KUHLS, ESQ.
Nevada Bar No. 13362
Attorneys for Defendant

14 **Case Name: Flores v. Wal-Mart Stores, Inc.**

15 **Case Number: 2:17-cv-01991-JAD-NJK**

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IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: February 2, 2018